

CITY OF GRAYSON

302 East Main Street
Grayson, Kentucky 41143

Phone: (606) 474-6651
Fax: (606) 474-6653

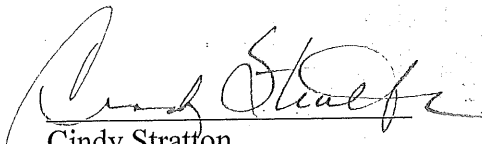
www.graysonky.net

CERTIFICATE

CITY OF GRAYSON

I, the undersigned, hereby certify that I am the duly qualified and acting City Clerk for the City of Grayson, that the foregoing is a full, complete and correct copy of Ordinance 09-2015 relating to the Annexation of 4-U Fitness which have been duly filed with the Mayor of the City of Grayson and the records thereof all appearing as a matter of public record in the official records or journal of said governing authority.

IN TESTIMONY WHEREOF, witnessed by me this 13th day of October 2015


Cindy Stratton
City Clerk

RECEIVED AND FILED
DATE October 29, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Karlene Addison

ORDINANCE NO. 9 - 2015ORDINANCE ANNEXING CERTAIN TERRITORY INTO
THE CITY OF GRAYSON, KENTUCKYPreamble

Whereas, the City of Grayson, Kentucky, adopted, approved, and enacted Ordinance No. 04-2015, whereby the City of Grayson expressed its intent to annex certain territory located in the proximity of Interstate Drive and Bellefonte Drive in Carter County, Kentucky;

Whereas, the City of Grayson has satisfied statutory requirements, including, but not limited to, KRS 81A *et seq.* with respect to Ordinance No. 04-2015 and this Ordinance;

Whereas, the territory to be annexed is an unincorporated area, and is contiguous to the City limits of the City of Grayson;

Whereas, the territory to be annexed is suitable for development for urban purposes without unreasonable delay in accordance with KRS 81A.410;

Whereas, the territory to be annexed does not lie within the boundary of another incorporated city;

Whereas, the territory to be annexed does not lie outside Carter County, Kentucky;

Whereas, all conditions precedent are satisfied for enactment of this Ordinance; and

Whereas, it is deemed beneficial for the welfare of the occupiers, residents and/or property owners of the territory and beneficial to the safety and welfare of inhabitants of the City of Grayson to annex the territory described in Ordinance No. 04-2015.

Now, Therefore, Be It Ordained By the City Council of the City of Grayson, County of Carter, State of Kentucky, as follows:

Section 1

The City of Grayson having adopted, approved, and enacted Ordinance No. 04-2015, whereby the City of Grayson expressed its intent to annex the territory described in Ordinance No. 04-2015, and the City of Grayson having satisfied all statutory requirements and conditions precedent to annexation of the unincorporated territory described in Ordinance No. 04-2015, which is incorporated by reference as if set forth at length herein *verbatim*, the same constituting part of this Ordinance, the City Council, pursuant to Kentucky Revised Statutes, Chapter 81A.005 *et seq.*, and all other applicable law, does hereby annex into the City of Grayson the territory described in Exhibit "A" hereto and the accompanying map.

Section 2

The corporate limits of the City of Grayson are hereby extended and increased so as to include and embrace within the corporate limits of the City of Grayson the territory described in Exhibit "A" to this Ordinance and as also delineated in the attached map.

Section 3

The map attached to this Ordinance is an accurate map of the territory annexed, and such map is hereby made a part of this Ordinance and it is adopted as the official map of the territory annexed, and the same shall be recorded in the Carter County Clerk's Office along with this Ordinance as the official map of the annexed territory.

Section 4

The territory annexed pursuant to this Ordinance shall be and is hereby designated for purposes of zoning and land use regulation as "Highway Business".

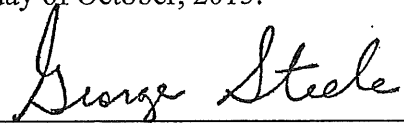
Section 5

If any section, subsection, sentence, clause, or phrase or this Ordinance is held unconstitutional or otherwise invalid, such infirmities shall not affect the validity of the remaining portions of this Ordinance.

This Ordinance becomes effective upon its, adoption, approval, and publication as provided by law.

1st reading, approval and on the 16th day of September, 2015.

Second reading, approval and adoption on the 13th day of October, 2015.


MAYOR GEORGE STEELE

ATTEST:


CINDY STRATTON
CITY CLERK

CITY OF GRAYSON

302 East Main Street
Grayson, Kentucky 41143

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Fax: (606) 474-6653

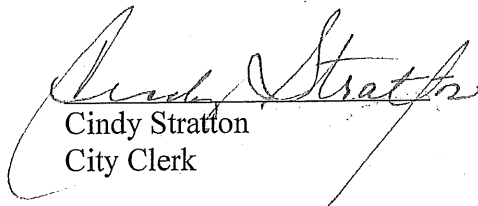
www.graysonky.net

CERTIFICATE

CITY OF GRAYSON

I, the undersigned, hereby certify that I am the duly qualified and acting City Clerk for the City of Grayson, that the foregoing is a full, complete and correct copy of Ordinance 04-2015 relating to the Intent to Annex of 4-U Fitness which have been duly filed with the Mayor of the City of Grayson and the records thereof all appearing as a matter of public record in the official records or journal of said governing authority.

IN TESTIMONY WHEREOF, witnessed by me this 13th day of October 2015


Cindy Stratton
City Clerk

RECEIVED AND FILED
DATE October 29, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handwritten Signature

ORDINANCE NO. 04-2015**AN ORDINANCE STATING THE CITY OF GRAYSON'S INTENT TO ANNEX
CERTAIN TERRITORY INTO THE CITY**

Whereas, the City of Grayson desires to annex certain territory into the City located in the proximity of the intersection of Interstate Drive and Bellefonte Drive;

Whereas, KRS Chapter 81A and applicable law requires the City of Grayson to enact an ordinance stating its intent to annex territory into the City;

Whereas, the territory proposed to be annexed is contiguous to the City of Grayson;

Whereas, the territory to be annexed does not lie within the boundary of another incorporated city;

Whereas, the territory to be annexed is not part of an agricultural district formed pursuant to KRS 262.850; and

Whereas, the territory to be annexed is suitable for development for urban purposes without reasonable delay due to population density, commercial, institutional or governmental use of land, or subdivision of land.

Now, Therefore, Be It Ordained By the City Council of the City of Grayson, County of Carter, State of Kentucky, as follows:

Section 1: Intent to Annex

The City of Grayson hereby declares its intent and desire to annex into the City of Grayson certain unincorporated territory located in Carter County, Kentucky, described with particularity, as follows:

Being a 0.864 acres tract of land, lying on the south side of Bellefonte Drive, approximately 230 feet from Interstate Drive, County of Carter, State of Kentucky, and being a portion of the same property conveyed to R & S Resources, LLC from Horton, Goebel, and Johnson, Inc., by deed dated February 28, 2014 and filed with the Carter County Clerk's Office in official record book 323, page 612, and is more particularly described by metes and bounds as follows:

Beginning at a common boundary of land of K & S Resources, LLC (official record book 323, page 612) and BFC Properties, LLC (official record book 298, page 43), and being in the existing City of Grayson Boundary (ordinance 17-2003);

Thence leaving the existing city boundary and running with the common boundary between BFC Properties, LLC and R & S Resources, LLC, S 11 DEGREES 49 MINUTES 50 SECONDS E a distance of 86.06' to an iron pin found (1/2 rebar with surveyor's cap stamped "LS 2178"), being a corner to the land owned by Horton, Goebel, and Johnson, Inc. (deed book 234, page 741 and deed book 234, page 744);

Thence running with the common boundary between Horton, Goebel, and Johnson, LLC and the land owned by R & S Resources, LLC, S 11 DEGREES 49 MINUTES 50 SECONDS E a distance of 86.63' to an iron pin found (1/2 rebar with a surveyor's cap stamped "LS 2178");

Thence N 78 DEGREES 12 MINUTES 01 SECONDS E a distance of 125.00' to an iron pin found (1/2 rebar with surveyor's stamp "LS 2178");

Thence N 11 DEGREES 49 MINUTES 50 SECONDS W a distance of 321.67' to a point in the existing City of Grayson Boundary (ordinance 10-2011), an iron pin found (1/2 rebar with a surveyor's stamp "LS 2178") bears north 11 degrees 49 minutes 50 seconds west a distance of 26.81';

Thence running with the existing city boundary and through the land owned by R & S Resources, LLC, S 78 DEGREES 06 MINUTES 51 SECONDS W a distance of 90.55' to a point in the existing city boundary (ordinance 17-2003);

Thence running with the existing city boundary and continuing through the land owned by K & S Resources, LLC (official record book 323, page 612), S 01 DEGREES 12 MINUTES 11 SECONDS W a distance of 152.76', which is the point of beginning and containing 0.864 acres.

As more full shown on a plat titled: "Map showing portion of R & S RESOURCES, LLC Property", lying on the south side of Bellefonte Drive, approximately 230 feet east from Interstate Drive, County of Carter, State of Kentucky, for the purpose to annex territory into the City of Grayson, Kentucky, dated February 25, 2015 by Edison Elliott, Professional Land Surveyor, No. 3720, residing at 210 South Sand Ridge, Olive Hill, Kentucky 41164.

A description of the territory the City of Grayson intends to annex is also set out in "Exhibit A" to this Ordinance; which is incorporated by reference, and made a part of this Ordinance as if set forth at length herein.

Section 2: Map

A professional survey map of the territory to be annexed, as described herein, is attached hereto as "Exhibit B" which it is made a part of this Ordinance. The territory annexed herein shall be designated for purposes of zoning and land use regulation as "Highway Business".

Section 3: Severability

If any section, subsection, sentence, clause, or phrase of this Ordinance is held unconstitutional or otherwise invalid, such infirmities shall not affect the validity of the remaining portions of this Ordinance.

This ordinance becomes effective upon its, adoption, approval, and publication as provided by law.

First reading and approval this 22nd day of April, 2015.

Second reading, approval and adoption this 12th of May, 2015.


MAYOR GEORGE STEELE

ATTEST:


CINDY STRATTON
CITY CLERK

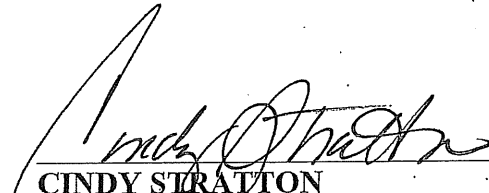
CERTIFICATION – INTENT TO ANNEX

City of Grayson City Clerk, Cindy Stratton certifies that the list of property owners below, (as defined by and pursuant to KRS Chapter 81A, *et seq.*), to whom notice was sent, via First Class Mail, of the second reading of **ORDINANCE NO. 04-2015**, entitled, “**AN ORDINANCE STATING THE CITY OF GRAYSON’S INTENT TO ANNEX CERTAIN TERRITORY INTO THE CITY**” located in the proximity of the intersection of Interstate Drive and Bellefonte Drive, and the certified list herein is made a part of the official record of the meeting of the Grayson City Council on Tuesday, May 12, 2015, at which time the above Ordinance proposing said annexation received its second reading.

List of Property Owners:

K & S Resources, LLC
130 Crickett Lane
Grayson, Kentucky 41143

BFC Properties, LLC
3586 Hickory Estates
Ashland, Kentucky 41102


CINDY STRATTON
CITY CLERK

**PARCEL DESCRIPTION FOR THE PURPOSE TO ANNEX TERRITORY IN THE
CITY OF GRAYSON, KENTUCKY**

Being a 0.864 acres tract of land, lying on the south side of Bellefonte Drive, approximately 230 feet east from Interstate Drive, County of Carter, State of Kentucky and being a portion of the same property conveyed to R & S Resources, LLC from Horton, Goebel, and Johnson, Inc., deed dated February 28, 2014 and filed with the Carter County Clerk's Office in official record book 323, page 612, see attached plat for further reference and is more particularly described by metes and bounds as follows:

Beginning at a common point in the common boundary of land owned by K & S Resources, LLC (official record book 323, page 612) and BFC Properties, LLC (official record book 298, page 43), also being in the existing City of Grayson Boundary (ordinance 17 – 2003);

Thence leaving the existing city boundary and running with the common boundary between BFC Properties, LLC and R & S Resources, LLC, S 11 DEGREES 49 MINUTES 50 SECONDS E a distance of 86.06' to an iron pin found (1/2" rebar with surveyor's cap stamped "LS 2178), being a corner to the land owned by Horton, Goebel, and Johnson, Inc. (deed book 234, page 741 and deed book 234, page 744);

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Thence running with the existing city boundary and continuing through the land owned by K & S Resources, LLC (official record book 323, page 612), S 01 DEGREES 12 MINUTES 11 SECONDS W a distance of 152.76', which is the point of beginning and containing 0.864 acres.

All iron pin sets are 3/4" rebar 24" long with surveyor's cap stamped "E. Elliott KY, PLS 3760"

Field Survey Date: 02/25/2015 final

Being subject to all restrictions, right of ways, easements, utilities, covenants, exceptions, conveyances, leases, and exclusions previously imposed and appearing of record, and those not of record.

This parcel is more fully shown on a plat titled "Map showing portion of R & S RESOURCES, LLC Property", lying on the south side of Bellefonte Drive, approximately 230 feet east from Interstate Drive, County of Carter, State of Kentucky, for the purpose to annex territory in the City of Grayson, Kentucky, dated February 25, 2015 by Edison Elliott Professional Land Surveyor, No. 3760 residing at 210 South Sand Ridge, Olive Hill, Kentucky 41164.



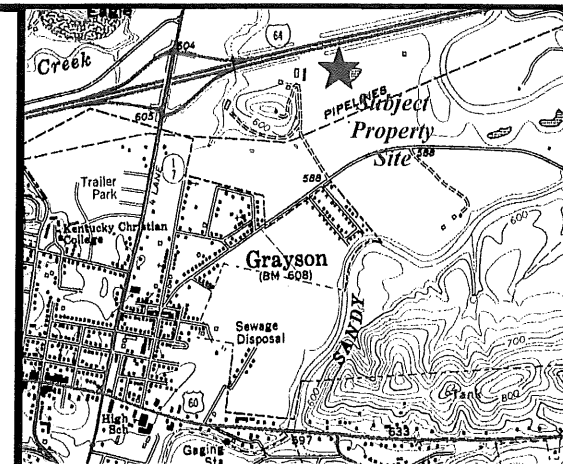
Edison Elliott
02-25-2015

EDISON ELLIOTT, PLS
PROFESSIONAL LAND SURVEYOR
KENTUCKY ★ WEST VIRGINIA
TENNESSEE ★ OHIO
mobile: (606) 316-0856
edison@easurveying.com
210 South Sand Ridge ★ Olive Hill, Kentucky 41164

Interstate 64 (west bound lane)

Interstate 64 (east bound lane)

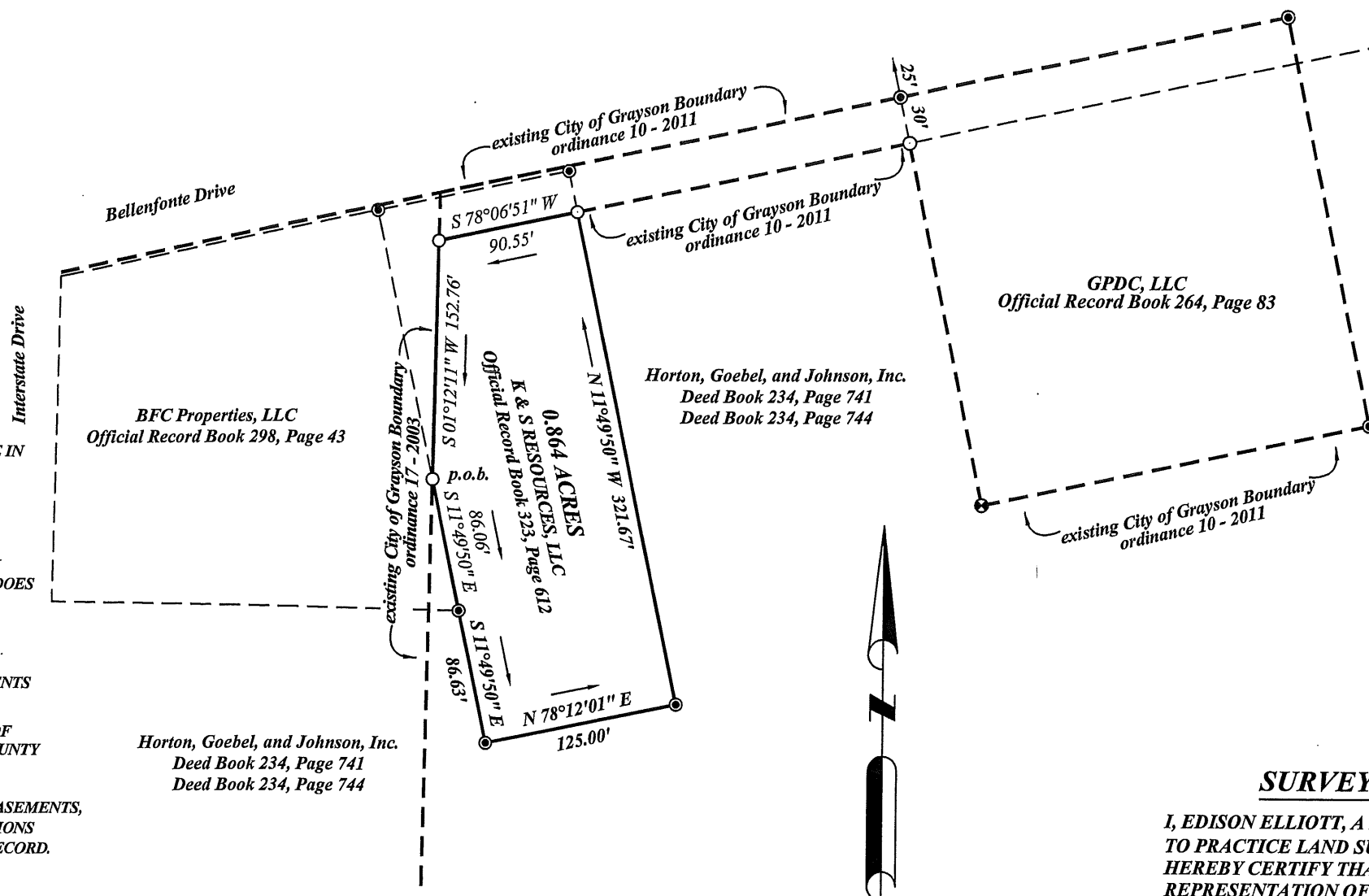
~ Map showing portion of ~
R & S RESOURCES, LLC
Property
Lying on the south side of Bellefonte Drive,
approximately 230' east from the intersection of Interstate Drive,
County of Carter, State of Kentucky
for the purpose to annex territory in the
CITY OF GRAYSON, KENTUCKY



7.5' USGS Grayson Quadrangle (n.t.s.)

GENERAL NOTES:

1. THIS PLAT REPRESENTS A PARCEL OF LAND TO BE ANNEXED.
2. SOURCE OF TITLE:
GPDC, LLC FROM HORTON, GOEBEL, AND JOHNSON, INC., DEED DATED FEBRUARY 28, 2014 AND FILED WITH THE CARTER COUNTY CLERK'S OFFICE IN OFFICIAL RECORD BOOK 323, PAGE 612.
3. CLIENT PROPERTY ADDRESS:
CITY OF GRAYSON
302 EAST MAIN STREET, GRAYSON, KENTUCKY 41143
4. THE WORD CERTIFY AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
5. DATE OF FIELD WORK: 02/25/2015 FINAL
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY EDISON ELLIOTT PROFESSIONAL LAND SURVEYOR TO DETERMINE OWNERSHIP AND EASEMENTS OF RECORD.
7. FOR ALL INFORMATION REGARDING RIGHT-OF-WAYS, EASEMENTS, TITLE OF RECORD AND SUBJECT PROPERTY LINES WE RELIED UPON THE CARTER COUNTY CLERK'S OFFICE.
8. BEING SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, RIGHT OF WAYS, EASEMENTS, UTILITIES, COVENANTS, EXCEPTIONS, CONVEYANCES, LEASES AND EXCLUSIONS PREVIOUSLY IMPOSED AND APPEARING OF RECORD, AND THOSE NOT OF RECORD.
9. BASIS OF BEARINGS: KENTUCKY STATE PLAN NORTH ZONE
10. GENERAL MAP SYMBOLS AND LINES:
 - IRON PIN SET ~ 3/4" x 24" REBAR WITH SURVEYOR'S CAP MARKED "E.ELLIOTT KY P.L.S. 3760"
 - IRON PIN FOUND ~ 5/8" REBAR WITH SURVEYOR'S CAP MARKED "PLS 2178"
 - POINT (NO MONUMENT SET)
 - p.o.b. POINT OF BEGINNING
 - BOUNDARY LINE
 - - - TRACT / DEED LINE
 - - - EXISTING CITY BOUNDARY

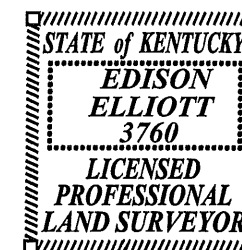


Horton, Goebel, and Johnson, Inc.
Deed Book 234, Page 741
Deed Book 234, Page 744

GPDC, LLC
Official Record Book 264, Page 83

Horton, Goebel, and Johnson, Inc.
Deed Book 234, Page 741
Deed Book 234, Page 744

Horton, Goebel, and Johnson, Inc.
Deed Book 234, Page 741
Deed Book 234, Page 744



SURVEYOR'S CERTIFICATION

I, EDISON ELLIOTT, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF KENTUCKY, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE STATUTORY REQUIREMENTS OF THE STATE OF KENTUCKY. THE SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION USING THE METHOD OF RANDOM TRAVERSE. THE UNADJUSTED MATHEMATICAL ERROR OF CLOSURE WAS 1: 30,496 AND WAS NOT ADJUSTED. THE SURVEY SHOWN HEREON IS A URBAN CLASS SURVEY.

Edison Elliott
EDISON ELLIOTT

02/25/2015
P.L.S. NO. 3760 (DATE SIGNED)

